

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

CINDY JO ROBINSON,

Plaintiff,

Case No. 13-cv-13124

v

Honorable Thomas L. Ludington
Magistrate Judge David R. Grand

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, DENYING
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

On December 11, 2013, Plaintiff Cindy Jo Robinson filed a motion for summary judgment challenging the denial of her Social Security Benefits claim. ECF No. 11. Three months later, on March 14, 2013, Defendant responded with its motion for summary judgment, seeking to uphold the denial. ECF No. 16.

On July 31, 2014, Magistrate Judge David R. Grand issued a report recommending that Plaintiff's motion for summary judgment be denied and that Defendant's motion for summary judgment be granted. Judge Grand concluded that Robinson had waived any challenge to the Administrative Law Judge's assessment of the medical opinion evidence because she had not made any substantive claims of error. Rep. & Rec. at 8, ECF No. 17.

Although the Magistrate Judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, neither party filed any objections. The election not to file objections to the Magistrate Judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474

U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation (ECF No. 17) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment (ECF No. 11) is **DENIED**.

It is further **ORDERED** that Defendant's motion for summary judgment (ECF No. 16) is **GRANTED**.

It is further **ORDERED** that, pursuant to 42 U.S.C. § 405(g), the decision of the Commissioner of Social Security is **AFFIRMED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: August 20, 2014

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 20, 2014.

s/Tracy A. Jacobs
TRACY A. JACOBS